

TRANSMITTAL

First Named Inventor

Turner, et al.

(For new nonprovisional applications under 37 CFR 1.53(b))

"EXPRESS MAIL CERTIFICATE"

"EXPRESS MAIL" MAILING LABEL NUMBER **EV 332 945 518 US** DATE OF DEPOSIT: **24 July 2003**

I hereby certify that this paper or fee and the papers indicated as being transmitted herewith are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date and with the Mailing Label Number indicated above and addressed to COMMISSIONER FOR PATENTS, MAIL STOP: PATENT APPLICATION, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

NAME OF PERSON MAILING PAPER OR FEE

(TYPE OR PRINT) Kelly A. Magee

SIGNATURE

Kelly A. Magee16235 U.S. PTO
10/631051

07/24/03

APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents.</i>		7. <input checked="" type="checkbox"/> The Title of the Invention: Use of Nitric Oxide Synthase Inhibitors for the Treatment of Diabetes
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to Deposit Account No. <u>19-2570</u> <input checked="" type="checkbox"/> General Authorization to charge any and all fees under 37 CFR 1.16 or 1.17, including petitions for extensions of time, relating to this application. (37 CFR 1.136(a)(3)) <i>(Submit an original, and a duplicate for fee processing)</i>	8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission a. <input type="checkbox"/> Computer Readable Copy b. <input type="checkbox"/> Paper Copy (identical to computer copy) c. <input type="checkbox"/> Statement verifying identity of above copies d. <input type="checkbox"/> Use the identical computer-readable form filed in Application No. _____, filed _____ as the computer-readable form for the instant application. (37 CFR 1.821(e))	
2. <input checked="" type="checkbox"/> The total fee is calculated as shown below: Basic Filing fee \$750.00 Total Claims 7 - 20 = 0 x \$18 \$ 0.00 Independent Claims 3 - 3 = 0 x \$84 \$ 0.00 <input type="checkbox"/> Multiple Dependent Claim present. \$280 TOTAL FILING FEE \$750.00 <input type="checkbox"/> Cancel in this application original claims to _____ of the prior application before calculating the filing fee. <input checked="" type="checkbox"/> Charge \$750.00 to the above indicated Deposit Account.	ACCOMPANYING APPLICATION PARTS 9. a. <input type="checkbox"/> Information Disclosure Statement (IDS) b. <input type="checkbox"/> PTO-1449 c. <input type="checkbox"/> Copies of all IDS Citations 10. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 11. <input checked="" type="checkbox"/> Prior Application is Assigned to: <u>SmithKline Beecham p.l.c.</u> <i>(for continuation/divisional with Box 17a completed)</i>	
3a. <input checked="" type="checkbox"/> Specification excluding Drawings [Total Pages] <u>6</u> 3b. <input checked="" type="checkbox"/> Abstract on a separate sheet [Total Pages] <u>1</u>	12. <input checked="" type="checkbox"/> Preliminary Amendment [Total Pages] <u>3</u>	
4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets] <u>1</u>	13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i>	
5. <input checked="" type="checkbox"/> Declaration and Power of Attorney [Total Pages] <u>3</u> a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 17a completed)</i> c. <input type="checkbox"/> Unsigned Declaration <i>[Note Box 6 below]</i> i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).	14. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 15. <input checked="" type="checkbox"/> Transfer all references cited by Applicants or by the Examiner from the parent Application Serial No. <u>10/290,133</u> filed <u>07 November 2002</u> . A PTO-1449 listing the references is enclosed. 16. <input checked="" type="checkbox"/> Other: <u>Copy of Request for Three Month Extension of Time filed in 10/290,133.</u>	
6. <input checked="" type="checkbox"/> Incorporation By Reference <i>(useable if Box 5b is checked)</i> The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.		
17. <input checked="" type="checkbox"/> Priority Information, check appropriate box and supply the requisite information		
a. The accompanying application is a <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No: <u>10/290,133</u> , filed <u>07 November 2002</u> .		
b. <input type="checkbox"/> Benefit is claimed under Title 35, United States Code, Section 119(e) of the following Provisional Applications: Application No. _____ filed _____		
c. <input checked="" type="checkbox"/> Please amend the specification by inserting before the first line the sentence: (37 CFR 1.78) This is a continuation of Application Serial No.: <u>10/290,133</u> , filed <u>07 November 2002</u> , which is a continuation of Application Serial No.: <u>09/850,655</u> , filed <u>07 May 2001</u> , which is a continuation of Application Serial No.: <u>09/367,295</u> , filed <u>07 October 1999</u> , which is a §371 of International Application No.: <u>PCT/EP97/00691</u> , filed <u>13 February 1997</u> .		
Correspondence Address:	GLAXOSMITHKLINE Corporate Intellectual Property - UW2220 P.O. Box 1539 King of Prussia, PA 19406-0939	Signature Name <u>Edward R. Gimmi</u>
Telephone	(610) 270-4478 Fax (610) 270-5090	Registration No. <u>38,891</u>

N:\ERG\APPS\P31332-1C2\C3\C3transmittal.doc



20462

PATENT TRADEMARK OFFICE

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED
WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE
AS FIRST-CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP
RESPONSE TO OFFICE ACTION, COMMISSIONER FOR PATENTS, P.O. BOX
1450, ALEXANDRIA, VA 33213-1450, ON

24 July 2003

NAME OF PERSON MAILING DOCUMENT

DATE

Attorney Docket No. P31332-1C2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Turner, *et al.* 24 July 2003
Serial No.: 10/290,133 Group Art Unit No.: Unknown
Filed: 07 November 2002 Examiner: Unknown
For: USE OF NITRIC OXIDE SYNTHASE INHIBITORS FOR THE TREATMENT
OF DIABETES

TRANSMITTAL LETTER

Transmitted herewith is a Request for Three Month Extension of Time in response to the Office Action mailed on 24 January 2003. A Continuation application was filed in this case under separate cover on 24 July 2003, and sent by Express Mail.

EXTENSION OF TIME PETITION

Applicants hereby petition for an extension of time for response from the date of the Examiner's action as needed, the fee being as follows:

<input type="checkbox"/>	one month extension.....	\$ 110
<input type="checkbox"/>	two months extension.....	\$ 400
<input checked="" type="checkbox"/>	three months extension.....	\$ 920
<input type="checkbox"/>	four months extension (not beyond statutory time period).....	\$1440
<input type="checkbox"/>	five months extension	\$1960

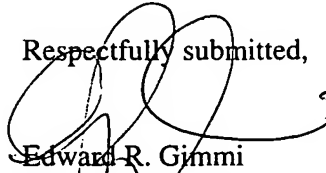
Charge **\$920.00** to Deposit Account No. 19-2570. Two copies of this form are enclosed.

Please charge any additional fees under 37 CFR 1.16 or 1.17 which may be required by this paper, or credit any overpayment, to Deposit Account No. 19-2570. Also, should the Patent and Trademark Office determine that the fee calculated in the above extension petition is not deemed sufficient to have this response considered as being timely filed, this constitutes a petition for extension

Serial No.: 10/290,133
Group Art Unit No.: Unknown

of time for the minimum period to effect timely filing, and the Commissioner is authorized to debit any necessary fee to said deposit account.

Respectfully submitted,



Edward R. Gimmi
Attorney for Applicants
Registration No. 38,891

GLAXOSMITHKLINE
Corporate Intellectual Property - UW2220
P.O. Box 1539
King of Prussia, PA 19406-0939
Phone (610) 270-4478
Facsimile (610) 270-5090
N:\ERG\APPS\P31332-1C2\C2exttime.doc